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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JOSEPH M. SPARKS,
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12 Petitioner,

13 v.

14 UNKNOWN,
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16 Respondent.


Case No. C08-5484RJB

ORDER DISMISSING PETITION

17 The Court, having reviewed the petition for habeas corpus, the Report and Recommendation of
18 Judge J. Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and
Order:

- 19 (1) The Court **ADOPTS** the Report and Recommendation (Dkt. 7);
20 (2) Petitioner's federal habeas petition is **DISMISSED WITHOUT PREJUDICE**; and
21 (3) The Clerk is directed to send copies of this Order to petitioner and to Judge Arnold.

22 DATED this 8th day of December, 2008.

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26 ROBERT J. BRYAN
27 United States District Judge
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